

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	CRIMINAL ACTION NO.
v.	)	2:10cr191-MHT
	)	(WO)
CEDRIQUEZ McCAA	)	

ORDER

It is ORDERED that defendant Cedriquez McCaa's motion for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A)(i) (Doc. 77) is denied.

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Defendant McCaa seeks relief under 18 U.S.C. § 3582(c)(1)(A), which provides, in relevant part:

"[T]he court, upon motion of the Director of the Bureau of Prisons, or upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier, may reduce the term of imprisonment (and may impose a term of probation or supervised release with or without conditions that does not exceed the unserved portion of the original term of imprisonment), after considering the factors set forth in section 3553(a) to the extent that they are applicable, if it finds that—

(i) extraordinary and compelling reasons warrant such a reduction; ...

and that such a reduction is consistent with applicable policy statements issued by the Sentencing Commission."

McCaa has not shown that he has filed with his facility's warden a request for the Bureau of Prisons (BOP) to file a motion for compassionate release on his behalf. Also, assuming he has filed such a request with the warden, he has not shown that he has fully exhausted all administrative rights to appeal the BOP's failure to bring a compassionate-release motion on his behalf, or that 30 days have lapsed since he filed the compassionate-release request with the warden. Accordingly, his motion was denied.

DONE, this the 13th day of April, 2021.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE